

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

F.L. CRUTCHFIELD, JR.,)	
)	
Plaintiff,)	
)	
v.)	1:08CV561
)	
IMMUNOSCIENCE, INC., and)	
SATEESH N. APTE,)	
)	
Defendants.)	
_____)	
IMMUNOSCIENCE, INC.,)	
)	
Plaintiff,)	
)	
v.)	1:09CV973
)	
ELIZABETH SZILAGYI and)	
SZ*B CORPORATION,)	
)	
Defendants.)	

ORDER

On January 30, 2012, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. The time period for filing objections was subsequently extended to March 14, 2012. No objections were filed within the time limits prescribed.

Therefore, the Court need not make a de novo review, and the Magistrate Judge's Recommendation [Doc. #83] is hereby adopted.

In addition, the Court notes that in Case 1:08CV561, Plaintiff F.L. Crutchfield, Jr. previously filed a Motion for Summary Judgment [Doc. #53] that was never fully briefed in light of the ongoing discovery and jurisdictional issues in Case 1:09CV973. The Court will therefore deny that previous Motion for Summary Judgment, without prejudice to Plaintiff Crutchfield refiling the Motion after all necessary discovery has been completed. In the circumstances, the Court will refer this matter to the

Magistrate Judge for a Supplemental Pretrial Conference in 1:08CV561 and an Initial Pretrial Conference in 1:09CV973.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants' Motion to Dismiss (1:09CV973 [Doc. #17]) is DENIED.

IT IS FURTHER ORDERED that Plaintiff F.L. Crutchfield, Jr.'s Motion for Summary Judgment [Doc. #53] is DENIED without prejudice to refiling after all necessary discovery has been completed.

IT IS FURTHER ORDERED that this matter is referred to the Magistrate Judge for a Supplemental Pretrial Conference in 1:08CV561 and an Initial Pretrial Conference in 1:09CV973.

This the 30th day of March, 2012

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge